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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/781,174 Confirmation No.: 1807

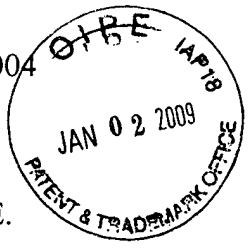
Applicant : Fred L. Pirkle

Filed : February 18, 2004

TC/A.U. : 1794

Examiner : Becker, Drew E.

Customer No. : 00270



CERTIFICATE OF MAILING
UNDER 37 C.F.R. §1.8(a)(1)(ii)
(PATENT)

I certify that this paper is being deposited on the date shown below with the United States Postal Service, with sufficient postage, as first class mail and is addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450."

Signed: George A. Lang
Date: Dec 30, 2008

Title : METHOD AND APPARATUS FOR SLOW COOKING

Mail Stop Patent Extension
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT INCLUDING REQUEST FOR RECONSIDERATION UNDER 37 CFR §1.705(b)

Dear Sir:

1. This is a request for reconsideration of the patent term adjustment of 748 days indicated on the notice of Determination of Patent Term Adjustment under 35 USC 154(b) that was attached to the Notice of Allowance mailed on December 10, 2008 for the above-identified application. It is respectfully requested that Applicants be granted a patent term adjustment of 1086 days.

2. The issue fee has not yet been paid.

3. Applicants submit herewith a "Statement Under 37 CFR §1.705(b)(2)".

01/02/2009 SDENBOB4 00000065 10781174
04 FC:1455 200.00 OP

4. In accordance with 37 CFR §1.705(b)(1), please charge the fee set forth in 37 CFR §1.18(e) ($200.00) to our Deposit Account No. 08-3040. Please charge any necessary additional fees or credit any overpayments to our Deposit Account No. 08-3040.

5. Because this Application for Patent Term Adjustment is being filed to correct an alleged USTPO error, Applicants respectfully request that the Application fee be refunded if this Application for Patent Term Adjustment is decided in Applicants' favor.

Dated: Dec 30, 2008

Respectfully submitted,
Howson & Howson LLP

By: _____
George A. Smith, Jr.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/781,174 Confirmation No.: 1807

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Title : METHOD AND APPARATUS FOR SLOW COOKING

Mail Stop Patent Extension
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR § 1.705(b)(2)

Dear Sir:

1. This statement is respectfully submitted in support of the "Request for Reconsideration of Patent Term Adjustment Under 37 CFR §1.705(b)" for the above-identified patent. In view of the following, it is respectfully requested that Applicants be granted a patent term adjustment of 1086 days.

2. Erroneous Calculation of Delay

The patent term adjustment on the notice of Determination of Patent Term Adjustment Under 35 U.S.C. §154(b) (hereinafter "PTA Notice") that was attached to the Notice of Allowance is 748 days (a copy of the PTA Notice is submitted herewith as Exhibit "A"). This determination of 748 days is in error. Pursuant to 35 U.S.C. §154(b), the term of patent shall be extended one day for each day that the Office failed to take certain action within the time frame specified in 35 USC § 154(b)(1)(A) [37 CFR §1.702(a)] (hereinafter "A Delay") and failed to

issue a patent within three years of the actual filing date of the above-referenced application in accordance with 35 CFR § 154(b)(1)(B) [37 CFR §1.702(b)] (hereinafter "B Delay").

3. Legal Grounds for Patent Term Delay

(A) "A Delay"

Pursuant to 37 CFR §1.703(a)(1), Applicants are entitled to a period of patent term adjustment due to the failure by the Office to mail an action under 35 U.S.C. §132 not later than 14 months after the actual filing date of the application (hereinafter "14 Month Delay"). As the Office failed to mail an action under 35 U.S.C. §132 by that date, Applicants are entitled to a period of patent term adjustment beginning on the day after the date that is 14 months after the date on which the above-referenced application was filed under 35 U.S.C. §111(a) and ending on the date of mailing of an action under 35 U.S.C. §132.

(B) "B Delay"

In addition to the patent term adjustment due to A Delay, pursuant to 37 CFR §1.703(b) Applicants are entitled to a period of patent term adjustment due "to examination delay from the number of days in the period beginning on the day after the date that is three years after the date on which the above-referenced application was filed under 35 U.S.C. §111(a)", and ending on the date a patent is issued, but not including the "number of days, if any, in the period beginning on the date on which a request for continued examination of the application under 35 U.S.C. §132(b) was filed and ending on the date the patent was issued" (B Delay). As Applicants filed an RCE on May 12, 2008, B Delay does not include any days after May 11, 2008.

(C) Period of Patent Term Adjustment

As set forth in 37 CFR §1.703(f), Applicants are entitled to a period of patent term adjustment equal to the period of examination delay based on the grounds set forth in 37 CFR §1.702 (detailed above) reduced by the period of time equal to the period of time during which Applicants failed to engage in reasonable efforts to conclude prosecution pursuant to 37 CFR §1.704 (hereinafter "Applicant Delay"). With respect to the above-referenced patent, the

total period of examination delays is the sum of the period of A Delay and period of B Delay, to the extent these periods of delay are not overlapping, minus the period of Applicant Delay.

(D) "A" and "B" Delay Overlap

In *Wyeth v. Dudas*, D.D.C. 2008 (submitted herewith as Exhibit "B"), the District Court held that B Delay "begins when the [Office] has failed to issue a patent within three years, not before." As such, A Delay and B Delay days only overlap if they fall on the same calendar date. "If an 'A Delay' occurs on one calendar day and a 'B delay' occurs on another, they do not overlap, and § 154(b)(2)(A) does not limit the extension to one day." (*Wyeth v. Dudas*, page 3, second paragraph). Thus, contrary to the contention of the Office, the Court held that Applicants are entitled to A Delay + B Delay, provided that no day in the A Delay period falls on the same calendar day as a day in B Delay.

4. Factual Basis for Patent Term Delay

(A) Examination Delays Pursuant to 37 CFR §1.702 and §1.703

Pursuant to 37 CFR §1.703(f), as detailed above, the period of adjustment of the term of the patent under §1.702 is the sum of the periods of examination delay calculated under 37 CFR §1.703(a)-(e), to the extent that such periods are not overlapping, less the sum of the periods calculated under §1.704 (the period of Applicant Delay). In the above-referenced patent, Applicants are entitled to a period of examination delay equal to the sum of the periods of delay under §1.703(a) and (b) for the reasons set forth below.

(i) "A Delay" Pursuant to §1.703(a)

In accordance with 37 CFR §1.703(a)(1), Applicants are entitled to a period of patent term adjustment due to the failure by the Office to mail an action under 35 U.S.C. §132 not later than 14 months after the actual filing date *(i.e.,* by April 18, 2005). As shown in the Patent Term Adjustment History (printed from PAIR, submitted herewith as Exhibit "C", hereinafter "PTA Sheet"), the Office failed to mail an action under 35 U.S.C. §132 (a Restriction Requirement) until June 8, 2007 (PTA Sheet, line 22). As such, Applicants are entitled to a period of patent term adjustment beginning April 19, 2005 and ending on June 8, 2007, the date

of mailing of the Restriction Requirement by the Office. Accordingly, the period of patent term adjustment due to A Delay by the Office is 781 days, as is correctly shown on the PTA Sheet (Exhibit C, line 22).

(ii) "B Delay" Pursuant to 37 CFR §1.703(b)

It is anticipated that the Office will not comply with the requirement of 35 U.S.C. §154(b) and 37 CFR §1.702(b), which requires issuance of a patent within 3 years after the date on which the application was filed under 35 U.S.C. §111(a), *i.e.,* by February 18, 2007. Pursuant to 37 CFR §1.702(b)(1-5) the B Delay period shall not include certain periods specifically enumerated in the rule. 37 CFR §1.702(b)(1) excludes delay for any time consumed by continued examination of the application under 35 U.S.C. 132(b). Thus, the B Delay period runs from the day after the day that is 3 years from the actual filing date of the application until the day before an RCE is filed. Therefore, Applicants are entitled to B Delay running from February 18, 2007, until the day before the filing of the RCE, *i.e.,* May 11, 2008.

(iii) Applicant Delay

Pursuant to 37 CFR §1.704(b), the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing of any Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. Applicants, in one instance, failed to reply to an Office communication within the 3 month period. As such, the patent term adjustment should be reduced by 33 days, as is correctly indicated on the PTA Sheet (Exhibit C, line 30).

(iv) Total Examination Delay Pursuant to 37 CFR §1.703(f)

As set forth in 37 CFR §1.703(f), the period of examination delay based on the grounds set forth in 37 CFR §1.702 is the sum of the period of A Delay and the B Delay, minus the amount of Applicant Delay, to the extent these periods of delay are not overlapping.

Pursuant to *Wyeth v. Dudas*[1], only the A Delay days falling on the same calendar day as B Delay days "overlap" for purposes of PTA calculation. As the period of A Delay overlapped the period of B Delay from February 19, 2007 until June 8, 2007, those days may properly be included in the PTA calculation only once. Thus, Applicant's Patent Term Adjustment periods are properly calculated as follows:

A Delay: April 19, 2005 – June 8, 2007 → 781 days

"Adjusted" B Delay: June 9, 2007 – May 11, 2008 → 338 days

Applicants are entitled to A Delay + B Delay = [781 days + 338 days)] = 1119 days of patent term adjustment[2].

B. Calculation of Correct Patent Term Adjustment Pursuant to 37 CFR §1.703(f)

As set forth in 37 CFR §1.703(f), Applicants are entitled to a period of patent term adjustment equal to the period of examination delays reduced by the period of Applicant Delay. Therefore, Applicants submit that the correct patent term adjustment for the above referenced patent is **1086 days**, which is the difference between the total period of examination delay (1119 days) and the period of Applicant Delay (33 days).

5. In accordance with 37 CFR §1.705(b)(2)(iii), Applicants submit that the pending patent is not subject to a terminal disclaimer.

6. In accordance with 37 CFR §1.705(b)(2)(iv)(B), Applicants submit that there were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of the identified application as set forth in 37 CFR §1.704.

---

1 *Supra.*

2 Calculation before Applicant Delay factored in.

In view of the foregoing, it is respectfully requested that this Request for Reconsideration of Patent Term Adjustment be favorably considered and that a corrected Determination of Patent Term Adjustment be issued to reflect a patent term adjustment of **1086 days** for the above-identified patent.

Dated: Dec 30, 2008

Respectfully submitted,
Howson & Howson LLP

By: _____
George A. Smith, Jr.
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215-540-9200 / 215-540-5818(Fax)

EXHIBIT "A"

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,174	02/18/2004	Fred L. Pirkle	TOT7USA	1807

270. 7590 12/10/2008

HOWSON AND HOWSON
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EXAMINER	
BECKER, DREW E	
ART UNIT	PAPER NUMBER
1794	

DATE MAILED: 12/10/2008

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 748 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 748 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

EXHIBIT "B"

WYETH v. Dudas
Civil Action No. 07-1492 (JR)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

2008 U.S. Dist. LEXIS 76063 (D.D.C., September 30, 2008)

OPINION BY: JAMES ROBERTSON

MEMORANDUM OPINION

Plaintiffs here take issue with the interpretation that the United States Patent and Trademark Office (PTO) has imposed upon 35 U.S.C. § 154, the statute that prescribes patent terms. Section 154(a)(2) establishes a term of 20 years from the day on which a successful patent application is first filed. Because the clock begins to run on this filing date, and not on the day the patent is actually granted, some of the effective term of a patent is consumed by the time it takes to prosecute the application. To mitigate the damage that bureaucracy can do to inventors, the statute grants extensions of patent terms for certain specified kinds of PTO delay, 35 U.S.C. § 154(b)(1)(A), and, regardless of the reason, whenever the patent prosecution takes more than three years. 35 U.S.C. § 154(b)(1)(B). Recognizing that the protection provided by these separate guarantees might overlap, Congress has forbidden double-counting: "To the extent that periods of delay attributable to grounds specified in paragraph (1) overlap, the period of any adjustment granted under this subsection shall not exceed the actual number of days the issuance of the patent was delayed." 35 U.S.C. § 154(b)(2)(A). Plaintiffs claim that the PTO has misconstrued or misapplied this provision, and that the PTO is denying them a portion of the term Congress has provided for the protection of their intellectual property rights.

Statutory Scheme

Until 1994, patent terms were 17 years from the date of issuance. *See* 35 U.S.C. § 154 (1992) ("Every patent shall contain . . . a grant . . . for the term of seventeen years . . . of the right to exclude others from making, using, or selling the invention throughout the United States. . . ."). In 1994, in order to comply with treaty obligations under the General Agreement on Tarriffs and Trade (GATT), the statute was amended to provide a 20-year term from the date on which the application is first filed. *See* Pub. L. No. 103-465, § 532, 108 Stat. 4809, 4984 (1994). In 1999, concerned that extended prosecution delays could deny inventors substantial portions of their effective patent terms under the new regime, Congress enacted the American Inventors Protection Act, a portion of which -- referred to as the Patent Term Guarantee Act of 1999 -- provided for the adjustments that are at issue in this case. Pub. L. No. 106-113, §§ 4401-4402, 113 Stat. 1501, 1501A-557 (1999).

As currently codified, 35 U.S.C. § 154(b) provides three guarantees of patent term, two of which are at issue here. The first is found in subsection (b)(1)(A), the "[g]uarantee of prompt Patent and Trademark Office response." It provides a one-day extension of patent term for every day that issuance of a patent is delayed by a failure of the PTO to comply with various enumerated statutory deadlines: fourteen months for a first office action; four months to respond to a reply; four months to issue a patent after the fee is paid; and the like. *See* 35 U.S.C. § 154(b)(1)(A)(i)-(iv). Periods of delay that fit under this provision are called "A delays" or "A periods." The second provision is the "[g]uarantee of no more than 3-year application pendency." Under this provision, a one-day term extension is granted for every day greater than three years after the filing date that it takes for the patent to issue, regardless of whether the delay is the fault of the PTO. [1] *See* 35 U.S.C. § 154(b)(1)(B). The period that begins after the three-year window has closed is referred to as the "B delay" or the "B period". ("C delays," delays resulting from interferences, secrecy orders, and appeals, are similarly treated but were not involved in the patent applications underlying this suit.)

> 1 Certain reasons for exceeding the three-year pendency period are excluded, *see* 35 U.S.C. § 154(b)(1)(B)(i)-(iii), as are periods attributable to the applicant's own delay. *See* 35 U.S.C. § 154(b)(2)(C).

The extensions granted for A, B, and C delays are subject to the following limitation:

> (A) In general.--To the extent that periods of delay attributable to grounds specified in paragraph (1) overlap, the period of any adjustment granted under this subsection shall not exceed the actual number of days the issuance of the patent was delayed.

35 U.S.C. § 154(b)(2)(A). This provision is manifestly intended to prevent double-counting of periods of delay, but understanding that intent does not answer the question of what is double-counting and what is not. Proper

interpretation of this proscription against windfall extensions requires an assessment of what it means for "periods of delay" to "overlap."

The PTO, pursuant to its power under 35 U.S.C. § 154(b)(3)(A) to "prescribe regulations establishing procedures for the application for and determination of patent term adjustments," has issued final rules and an "explanation" of the rules, setting forth its authoritative construction of the double-counting provision. The rules that the PTO has promulgated essentially parrot the statutory text, *see* 37 C.F.R. § 1.703(f), and so the real interpretive act is found in something the PTO calls its Explanation of 37 CFR 1.703(f) and of the United States Patent and Trademark Office Interpretation of 35 U.S.C. § 154(b)(2)(A), which was published on June 21, 2004, at 69 Fed. Reg. 34238. Here, the PTO "explained" that:

> the Office has consistently taken the position that if an application is entitled to an adjustment under the three-year pendency provision of 35 U.S.C. § 154(b)(1)(B), *the entire period during which the application was pending before the Office* (except for periods excluded under 35 U.S.C. § 154 (b)(1)(B)(i)-(iii)), and not just the period beginning three years after the actual filing date of the application, *is the relevant period under 35 U.S.C. § 154 (b)(1)(B) in determining whether periods of delay "overlap" under 35 U.S.C. 154(b)(2)(A).*

69 Fed. Reg. 34238 (2004) (emphasis added). In short, the PTO's view is that any administrative delay under § 154(b)(1)(A) overlaps any 3-year maximum pendency delay under § 154(b)(1)(B): the applicant gets credit for "A delay" or for "B delay," whichever is larger, but never A + B.

In the plaintiffs' submission, this interpretation does not square with the language of the statute. They argue that the "A period" and "B period" overlap only if they occur on the same calendar day or days. Consider this example, proffered by plaintiff: A patent application is filed on 1/1/02. The patent issues on 1/1/08, six years later. In that six-year period are two "A periods," each one year long: (1) the 14-month deadline for first office action is 3/1/03, but the first office action does not occur until 3/1/04, one year late; (2) the 4-month deadline for patent issuance after payment of the issuance fee is 1/1/07, but the patent does not issue until 1/1/08, another year of delay attributable to the PTO. According to plaintiff, the "B period" begins running on 1/1/05, three years after the patent application was filed, and ends three years later, with the issuance of the patent on 1/1/08. In this example, then, the first "A period" does not overlap the "B period," because it occurs in 2003-04, not in 2005-07. The second "A period," which covers 365 of the same days covered by the "B period," does overlap. Thus, in plaintiff's submission, this patent holder is entitled to four years of adjustment (one year of "A period" delay + three years of "B period" delay). But in the PTO's view, since "the entire period during which the application was pending before the office" is considered to be "B period" for purposes of identifying "overlap," the patent holder gets only three years of adjustment.

Chevron Deference

We must first decide whether the PTO's interpretation is entitled to deference under *Chevron v. NRDC,* 467 U.S. 837, 104 S. Ct. 2778, 81 L. Ed. 2d 694 (1984). No, the plaintiffs argue, because, under the Supreme Court's holdings in *Gonzales v. Oregon,* 546 U.S. 243, 126 S. Ct. 904, 163 L. Ed. 2d 748 (2006), and *United States v. Mead Corp.,* 533 U.S. 218, 121 S. Ct. 2164, 150 L. Ed. 2d 292 (2001), Congress has not "delegated authority to the agency generally to make rules carrying the force of law," and in any case the interpretation at issue here was not promulgated pursuant to any such authority. *See Gonzales,* 546 U.S. at 255-56, *citing Mead,* 533 U.S. at 226-27. Since at least 1996, the Federal Circuit has held that the PTO is not afforded *Chevron* deference because it does not have the authority to issue substantive rules, only procedural regulations regarding the conduct of proceedings before the agency. *See Merck & Co. v. Kessler,* 80 F.3d 1543, 1549-50 (Fed. Cir. 1996).

Here, as in *Merck,* the authority of the PTO is limited to prescribing "regulations establishing *procedures* for the application for and determination of patent term adjustments under this subsection." 35 U.S.C. § 154(b)(3)(A) (emphasis added). Indeed, a comparison of this rulemaking authority with the authority conferred for a different purpose in the immediately preceding section of the statute makes it clear that the PTO's authority to interpret the overlap provision is quite limited. In 35 U.S.C. § 154(b)(2)(C)(iii) the PTO is given the power to "prescribe regulations establishing the *circumstances that constitute* a failure of an applicant to engage in reasonable efforts to conclude processing or examination of an application" (emphasis added) -- that is, the power to elaborate on the meaning of a particular statutory term. No such power is granted under § 154(b)(3)(A). *Chevron* deference does not apply to the interpretation at issue here.

Statutory Construction

Chevron would not save the PTO's interpretation, however, because it cannot be reconciled with the plain

text of the statute. If the statutory text is not ambiguous enough to permit the construction that the agency urges, that construction fails at *Chevron's* "step one," without regard to whether it is a reasonable attempt to reach a result that Congress might have intended. *See, e.g., MCI v. AT&T,* 512 U.S. 218, 229, 114 S. Ct. 2223, 129 L. Ed. 2d 182 (1994) ("[A]n agency's interpretation of a statute is not entitled to deference when it goes beyond the meaning that the statute can bear.").

The operative question under 35 U.S.C. § 154(b)(2)(A) is whether "periods of delay attributable to grounds specified in paragraph (1) overlap." The only way that periods of time can "overlap" is if they occur on the same day. If an "A delay" occurs on one calendar day and a "B delay" occurs on another, they do not overlap, and § 154(b)(2)(A) does not limit the extension to one day. Recognizing this, the PTO defends its interpretation as essentially running the "period of delay" under subsection (B) from the filing date of the patent application, such that a period of "B delay" *always overlaps* with any periods of "A delay" for the purposes of applying § 154(b)(2)(A).

The problem with the PTO's construction is that it considers the application *delayed* under § 154(b)(1)(B) during the period *before it has been delayed.* That construction cannot be squared with the language of § 154(b)(1)(B), which applies "if the issue of an original patent is *delayed* due to the failure of the United States Patent and Trademark Office to issue a patent within 3 years." (Emphasis added.) "B delay" begins when the PTO has failed to issue a patent within three years, not before.

The PTO's interpretation appears to be driven by Congress's admonition that any term extension "not exceed the actual number of days the issuance of the patent was delayed," and by the PTO's view that "A delays" during the first three years of an applications' pendency inevitably lead to "B delays" in later years. Thus, as the PTO sees it, if plaintiffs' construction is adopted, one cause of delay will be counted twice: once because the PTO has failed to meet and administrative deadline, and again because that failure has pushed back the entire processing of the application into the "B period." Indeed, in the example set forth above, plaintiffs' calendar-day construction does result in a total effective patent term of 18 years under the (B) guarantee, so that -- again from the PTO's viewpoint -- the applicant is not "compensated" for the PTO's administrative delay, he is benefitted by it.

But if subsection (B) had been intended to guarantee a 17-year patent term and *no more,* it could easily have been written that way. It is true that the legislative context -- as distinct from the legislative history -- suggests that Congress may have intended to use subsection (B) to guarantee the 17-year term provided before GATT. But it chose to write a "[g]uarantee of no more than 3-year application pendency," 35 U.S.C. § 154(b)(1)(B), not merely a guarantee of 17 effective years of patent term, and do so using language separating that guarantee from a different promise of prompt administration in subsection (A). The PTO's efforts to prevent windfall extensions may be reasonable -- they may even be consistent with Congress's intent -- but its interpretation must square with Congress's words. If the outcome commanded by that text is an unintended result, the problem is for Congress to remedy, not the agency.

JAMES ROBERTSON

United States District Judge

EXHIBIT "C"

Patent eBusiness

- Electronic Filing
- Patent Application Information (PAIR)
- Patent Ownership
- Fees
- Supplemental Resources & Support

Patent Information

Patent Guidance and General Info

- Codes, Rules & Manuals
- Employee & Office Directories
- Resources & Public Notices

Patent Searches

Patent Official Gazette

- Search Patents & Applications
- Search Biological Sequences
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Order Certified Application As Filed | Order Certified File Wrapper | View Order List

10/781,174 METHOD AND APPARATUS FOR SLOW COOKING

Select New Case | Application Data | Transaction History | Image File Wrapper | Patent Term Adjustments | Continuity Data | Published Documents | Address & Attorney/Agent

Patent Term Adjustment

Filing or 371(c) Date:	02-18-2004	USPTO Delay (PTO) Delay (days):	781
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	33
Post-Issue Petitions (days):	+0	Total Patent Term Adjustment (days):	748
USPTO Adjustment (days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

	Date	Contents Description	PTO(Days)	APPL(Days)
47	12-10-2008	Mail Notice of Allowance		
46	12-08-2008	Document Verification		
45	12-08-2008	Notice of Allowance Data Verification Completed		
44	12-08-2008	Case Docketed to Examiner in GAU		
43	12-08-2008	Examiner's Amendment Communication		
42	12-03-2008	Date Forwarded to Examiner		
41	10-28-2008	Response after Non-Final Action		
40	07-28-2008	Mail Non-Final Rejection		
39	07-22-2008	Non-Final Rejection		
38	05-22-2008	Date Forwarded to Examiner		
37	05-22-2008	Date Forwarded to Examiner		
36	05-12-2008	Request for Continued Examination (RCE)		
35	05-22-2008	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		
34	05-12-2008	Workflow - Request for RCE - Begin		
33	02-12-2008	Mail Final Rejection (PTOL - 326)		
32	02-07-2008	Final Rejection		
31	01-16-2008	Date Forwarded to Examiner		
30	12-17-2007	Response after Non-Final Action		33
29	12-17-2007	Request for Extension of Time - Granted	↑	
28	10-04-2007	Case Docketed to Examiner in GAU	↑	
27	08-14-2007	Mail Non-Final Rejection	↑	
26	08-13-2007	Non-Final Rejection		
25	05-27-2004	Information Disclosure Statement considered		
24	07-29-2007	Date Forwarded to Examiner		
23	07-09-2007	Response to Election / Restriction Filed		
22	06-08-2007	Mail Restriction Requirement	781	
21	06-07-2007	Requirement for Restriction / Election	↑	
20	05-26-2005	Case Docketed to Examiner in GAU	↑	
19	09-02-2004	IFW TSS Processing by Tech Center Complete	↑	
18	09-02-2004	Case Docketed to Examiner in GAU	↑	
17	07-14-2004	Preliminary Amendment	↑	
16	05-27-2004	Reference capture on IDS	↑	
15	05-27-2004	Information Disclosure Statement (IDS) Filed	↑	

14	05-27-2004	Information Disclosure Statement (IDS) Filed	
13	08-10-2004	Application Return from OIPE	
12	08-10-2004	Application Return TO OIPE	
11	08-10-2004	Application Return from OIPE	
10	08-11-2004	Application Is Now Complete	
9	08-10-2004	Application Return TO OIPE	
8	08-10-2004	Application Dispatched from OIPE	
7	08-11-2004	Application Is Now Complete	
6	04-14-2004	Additional Application Filing Fees	
5	04-14-2004	Applicant has submitted new drawings to correct Corrected Papers problems	
4	05-17-2004	Corrected Paper	
3	03-23-2004	Cleared by OIPE CSR	
2	03-08-2004	IFW Scan & PACR Auto Security Review	
1	02-18-2004	Initial Exam Team nn	

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